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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/690,780 | 10/21/2003 | Dror Barash | MP0249 | 5610 |

45641 7590 05/02/2006

THE LAW OFFICES OF ANDREW D. FORTNEY, PH.D., P.C.
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EXAMINER

CHUNG, PHUNG M

ART UNIT PAPER NUMBER

2138

DATE MAILED: 05/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|-------------------------------------|--|
| Office Action Summary | Application No. 10/690,780 | Applicant(s) BARASH, DROR | |
| | Examiner Phung My Chung | Art Unit 2138 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-63 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-63 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>10/21/03 & 1/27/05</u> . | 6) <input type="checkbox"/> Other: ____. |

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Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over the applicant admitted prior art (AAPA) in view of Greenwood et al (6,598,200).

As per claims 1-11 and 58-62, the AAPA discloses a method, comprising the steps of:

receiving a digital information comprising data and at least one non-data portion (header),

the data comprising a plurality of data portions having a fixed length;

removing the at least one non-data portion. (Paragraphs (0004)-(0005)). The AAPA does not disclose if the data does not include a remainder having a length less than the fixed length, then checking the plurality of data portions for a transmission error, but if the data includes the remainder, then adding a zero-pad vector to the remainder to generate a zero-padded data portion having the fixed length, and checking the plurality of data portions and the zero-padded data portion for a transmission error. However, Greenwood et al disclose if the data does not include a remainder having a length less than the fixed length, then checking the plurality of data portions for a transmission error, but if the data includes the remainder, then adding a zero-pad

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vector to the remainder to generate a zero-padded data portion having the fixed length, and checking the plurality of data portions and the zero-padded data portion for a transmission error. (Col. 6, lines 20-53, col. 9, lines 5-58 and col. 12, lines 1-11). Therefore, it would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to set if the data does not include a remainder having a length less than the fixed length, then checking the plurality of data portions for a transmission error, but if the data includes the remainder, then adding a zero-pad vector to the remainder to generate a zero-padded data portion having the fixed length and checking the plurality of data portions and the zero-padded data portion for a transmission error as taught by Greenwood et al into the invention of the AAPA to maximize the data transmission rate under all channel conditions without reducing error correction capability.

As per claim 12, the AAPA further discloses wherein the checking step comprises calculating cyclic redundancy code (CRC) on all of the data portions and the zero padded data portion.

As per claims 13-19, 21-30, 32-42, 44-52 and 54-57, these claims are rejected under similar rationale as set forth in claims 1-11 and 58-62.

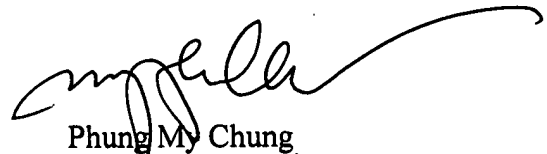
As per claims 20, 31, 43, 53 and 63, these claims are rejected under similar rationale as set forth in claim 12.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phung My Chung whose telephone number is 571-272-3818. The examiner can normally be reached on Monday-Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on 571- 272-3819. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Phung My Chung
Primary Patent Examiner